

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. Claims 9, 14, 18, and 21 are amended. Claim 22 is added. No claims are canceled. Claims 2-22 are now pending in this application.

Rejection of claim 3 under 35 U.S.C. 112, first paragraph

Claim 3 is rejected under 35 U.S.C. 112, first paragraph, because of the combination of the explosive or shear bolt with a connecting part that is removed and/or destroyed due to forces acting in the direction of the pivot axis of the hinge. Claim 3 has been amended such that the explosive or shear bolt is the connecting part, and that the connection part does not have to be removed and/or destroyed due to forces acting in the direction of the pivot axis of the hinge. For at least these reasons, reconsideration and withdrawal of the rejection are respectfully requested.

Rejection of claims 2-17 and 21 under 35 U.S.C. 112, second paragraph

Claims 2-17 and 21 are rejected under 35 U.S.C. 112, second paragraph, because of various antecedent basis informalities. Claims 2-17 and 21 have been amended to address these informalities. For at least these reasons, reconsideration and withdrawal of the rejection are respectfully requested.

Rejection of claims 2 and 4-21 based on the prior art

Claims 2, 4-16, and 18-21 are rejected under 35 U.S.C. 102(e) as being anticipated by WO 03/086826 ("Knight-Newbury"). Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Knight-Newbury in view of U.S. Patent 6,182,782 ("Matsuura"). These rejections are traversed for at least the reason that Knight-Newbury is not prior art.

It is respectfully submitted that the § 102(e) prior art date of Knight-Newbury corresponds to its international filing date of April 4, 2003. The present application claims priority to DE 102 52 285.5 (DE '285), which was filed on November 6, 2002. To perfect the claim of foreign priority for this application, an English translation of DE '285 is being submitted herewith. The perfected claim of foreign priority would then predate the § 102(e) prior art date of Knight-Newbury, thus removing Knight-Newbury as prior art against the present application. Because Knight-Newbury is not prior art, any rejection based on the teachings of Knight-Newbury is improper. Accordingly, the withdrawal of the rejections over

Knight-Newbury or Knight-Newbury and Matsuura is respectfully requested for at least this reason.

Conclusion

It is believed that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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